

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	Civil No. 1:23-CV-169
v.	)	
	)	Judges: _____
REAL PROPERTY LOCATED AT 2305 WILDER	)	
STREET, CHATTANOOGA, TN 37406,	)	
LOTS 3 & 4,	)	
	)	
ELECTRONIC EQUIPMENT,	)	
	)	
and	)	
	)	
HIGHPOINT, MODEL C9, 9MM HANDGUN,	)	
S/N: P1736096 WITH A LOADED MAGAZINE	)	
WITH 8 ROUNDS OF AMMUNITION.	)	
	)	
Defendants.	)	

**AFFIDAVIT IN SUPPORT OF VERIFIED COMPLAINT *IN REM***

I, Samuel K. Moore, being duly sworn and state as follows:

**INTRODUCTION**

1. I am a Special Agent (SA) with the Federal Bureau of Investigation (FBI), currently assigned to the Knoxville Division, Chattanooga, Tennessee Resident Agency. I have been employed as a Special Agent for 14 years. As a federal agent, I am authorized to investigate violations of laws of the United States, and I am a law enforcement officer with the authority to execute warrants issued under the authority of the United States. I have investigated federal criminal violations related to counter-terrorism, domestic terrorism, criminal enterprise, human trafficking, and crimes against children. I have received formal training and have

participated in numerous search warrants in a variety of investigative matters. Most specifically, I have engaged in dozens of investigations into matters involving child exploitation in the last two years and have become very familiar with the activities, procedures, habits, and methods employed by child sex offenders and child pornographers.

2. The statements contained in this affidavit are based upon my investigation, information provided by other law enforcement agencies and partners, and on my experience and training as a Special Agent of the FBI. This affidavit does not contain all of the information known to law enforcement regarding this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that evidence of violations of Title 18, United States Code, Sections 2251(a), 2252A, and 2421 including conspiracies and attempts to violate those provisions, which make it a crime to manufacture, distribute, and possess child pornography, and a violation of Title 18, United States Code, Section 922(g)(1), which makes it a crime for a convicted felon to be in possession of a firearm.

### **PURPOSE OF AFFIDAVIT**

3. This affidavit supports the civil forfeiture of defendant properties set forth below (hereinafter “defendant properties”):

#### **REAL PROPERTY:**

Real property, with all appurtenances, improvements, and attachments thereon, located at 2305 Wilder Street, Chattanooga, TN 37406-366, Lots 3 and 4 (“Wilder property”) owned by Mark Deakins as of February 2008, described as follows:

LOCATED IN THE CITY OF CHATTANOOGA, HAMILTON  
COUNTY, TENNESSEE:

Lot Three (3), Searle's Subdivision of Block 6, Glass Farm, as shown by  
plat of record in Plat Book 5 Page 45, in the Register's Office of Hamilton  
County, Tennessee.

Lot 4 is described as follows:

LOCATED IN THE CITY OF CHATTANOOGA, HAMILTON  
COUNTY, TENNESSEE:

Being Lot 4, Block 6 Searle's Subdivision as shown by plat of record in  
Plat Book 5, Page 45, in the Register's Office of Hamilton County,  
Tennessee.

ELECTRONIC EQUIPMENT:

- a) a Black Kyocera Cell Phone;
- b) a Black Alcatel One Touch Cell Phone and Stand;
- c) a 1080p Sport Camera;
- d) a Samsung handheld Camera (white);
- e) a Gateway Laptop (silver);
- f) Four HP Computer Towers;
- g) Two Dell Computer Towers; and
- h) (silver) HP Laptop computer, ID: 5CB0487C77.

FIREARM:

Highpoint, Model C9, 9mm handgun, S/N: P1736096 with a loaded magazine  
with 8 rounds of ammunition.

4. Based on my training, experience, and background as a Special Agent for FBI and  
the facts set forth below, I believe the defendant properties are forfeitable pursuant to 18 U.S.C.  
§§ 981(a)(1)(c), 2428, 2254 for violations of 18 U.S.C. §§ 2421, 2251(a), 2252A, and pursuant  
to 18 U.S.C. § 924(d)(1) for a violation of 18 U.S.C. § 922(g)(1).

5. The facts in this affidavit are based on my personal knowledge and information I have received from other law enforcement agents assisting in this investigation, my review of reports, documents, and other evidence obtained since the beginning of the investigation, as well as information related to me by other law enforcement agents. This affidavit does not contain all of the information known to law enforcement regarding this investigation.

### **BACKGROUND**

6. On May 27, 2021, Detective Steve Hope of the Red Bank, Tennessee, Police Department, informed me of a complaint involving MARK ALAN DEAKINS ("DEAKINS"). On May 17, 2021, a complainant provided a Driver's License and Tennessee Probation Identification Card of DEAKINS along with a series of thumb drives to the Lafayette, Georgia, Police Department that she stated contained Child Sexual Abuse Material (CSAM). The complainant stated that she had given a young male a ride on May 16, 2021, and that when she dropped the passenger off, whom she described as no more than 17, he had left behind a small bag in her vehicle including the identification cards, thumb drives, and video tapes. The complainant stated that she was curious and began to review some of the thumb drives that night when she discovered multiple CSAM videos of an adult male and very young juvenile males including the images of an adult male known to her. The complainant then reached out to the individual she believed she knew who stated that the images depicted were taken by DEAKINS when he was very young and that he believed that DEAKINS was charged and convicted of child molestation out of Red Bank, Tennessee. At this point, Lafayette Police reached out to Red Bank, Tennessee Police for assistance. I also spoke with the original complainant and verified the details of the abandoned thumb drives and identification cards.

## **INVESTIGATION**

7. On May 27, 2021, after reviewing the thumb drives, I found evidence of multiple file folders containing images and names of at a minimum, 17 young juvenile males over a period of 20 years who were nude and/or exposing their penises and anal cavities, juvenile males engaged in oral and anal sex with an adult male, and juvenile males engaged in sexually explicit activity with other young male children. In a majority of these images and videos, an individual matching the description of DEAKINS is also observed nude and engaged in sexual activity with some of the juvenile males. Additionally, file folders entitled “JG”<sup>1</sup> and “JGX” were discovered. Upon review of the JG folders, a series of CSAM images and videos were discovered that according to the image metadata and naming conventions were taken between June and September of 2018. Images discovered with location data were entered into Pic2Map Photo Location Viewer and these images registered within 200 feet of 2305 Wilder Street, Chattanooga, Tennessee. This imagery including an adult male pulling down the underwear of a sleeping male child under the age of 12 exposing their penis, images of the same male child erect and holding a ruler to his penis, images of the same child nude and showering, images of the child’s hand on an adult male penis, images of an adult male penis pressed up against a sleeping child with his penis exposed, close up images of the child’s erect penis, and videos of the same nude male child seemingly being directed to hold a handheld mirror up to display his anal cavity. Videos were also observed of the same male child in a living room area nude and sitting in the lap of an adult male who is pressing the child onto his lap and massaging his back and placing his hand near his genital area.

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<sup>1</sup> The folder contained the full name of the individual, but I have reduced the name to initials to protect the victim’s identity.

8. The videos were found to be taken on a webcam and images were found to be taken on a Samsung SM-G930V Mobile Device. This device used to record the images was an item that was manufactured outside the state of Tennessee and thus had been transported across state lines after being manufactured. The adult male depicted in the CSAM videos again closely matched the description of DEAKINS.

9. On June 1, 2021, I visited and photographed the exterior of 2305 Wilder Street, which upon review of the exterior composition of the residence and a review of the interior of the room where the 2018 videos were taken closely match, to include window placement and a window air conditioner unit placement.

10. An NCIC photograph that I saw of DEAKINS matched the photograph of the adult male observed in the videos with the young male taken in 2018 from what appears to be DEAKINS' residence. I also saw other images of the juvenile male, non-CSAM, including one where the child was holding Kindergarten graduation certificate dated 05-25-17.

11. Pursuant to a search and seizure warrant executed on June 3, 2021, at the Wilder Property, the FBI seized the electronic equipment included in the defendant properties. Upon examination, investigators found images on drives that were organized in files bearing certain children's name. The investigation revealed that DEAKINS began sexually abusing the children in those images in the mid-1990s and on one or more occasions, transported the child from Tennessee to Florida where DEAKINS continued to sexually abuse, and create images and video tapes of the sexual abuse. The electronic items were either used to create or were used for the storage of the sexually explicit conduct.

12. DEAKINS produced visual images and videos of sexually explicit conduct with minors, that were shipped, mailed, or transported in interstate commerce. In DEAKINS'

criminal trial (*United States v. Mark Alan Deakins*, 1:21-CR-00058-CEA-SKL), a victim testified that the photographs and videos of Deakins engage in sexually explicit conduct with the victim, was produced at Deakins residence, 2305 Wilder Street, Chattanooga, TN 37406-366. The residence is where the filming occurred, and the shed is where the grooming occurred.


13. On June 7, 2021, pursuant to a search incident to arrest, officers seized the Highpoint, Model C9, 9mm handgun, S/N: P1736096 with a loaded magazine with 8 rounds of ammunition. Deakins, as a convicted felon, actually or constructively, cannot possess any firearms and/or ammunition.

### **CONCLUSION**

14. The defendant properties constitute one or more of the following:
- a. Visual depiction described in Title 18, United States Code, Sections 2251, 2251A, or 2252, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of Title 18, United States Code, Chapter 110;
  - b. Property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the offense; and
  - c. Property, real or personal, used or intended to be used to commit or to promote the commission of the offense.

They are subject to forfeiture pursuant to 18 U.S.C. §§ 981(a)(1)(c), 2428, and 2254.

FURTHER THIS AFFLIANT SAYETH NOT.

  
Samuel K. Moore  
Special Agent, FBI

STATE OF TENNESSEE

COUNTY OF Knox

On this 7<sup>th</sup> day of August, 2023, before me, personally appeared Samuel K. Moore, in his capacity as a Special Agent, Federal Bureau of Investigation, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal.

Subscribed to and sworn before me on this this 7<sup>th</sup> day of August, 2023.



  
NOTARY PUBLIC

My Commission Expires: 03/07/2026